

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/791,661	03/01/2004	Dane Q. Robinson	26927.00015

CONFIRMATION NO. 2719

SQUIRE, SANDERS & DEMPSEY .L.L.P.
Two Renaissance Square
Suite 2700
40 North Central Avenue
Phoenix, AZ 85004-4498

FORMALITIES LETTER



OC000000012743468

Date Mailed: 05/21/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 4c,5,6,7c.
 - There are missing lead lines. Lead lines are required for each reference character (except for those which indicate the surface or cross section on which they are placed, in which case the reference character must be underlined to make it clear that a lead line has not been left out by mistake) (see 37 CFR 1.84(q)). See Figure(s) 7d.

08/27/2004 FRANK1A2 00000053 10791661
01 FC:2001 385.00 BP
02 FC:2051 65.00 BP
03 FC:2202 54.00 BP

- The drawings must be made on paper that has a white background (see 37 CFR 1.84 (e)). For example, drawings on graph paper, lined paper, or paper that has a non-white background are not acceptable. See Figure(s) 7a-7d.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$54 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$504** for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$54**
 - \$54 for 6 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Lee

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

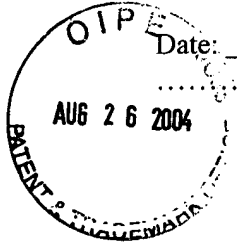
CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I, Lisa Mansur, hereby certify that this correspondence, pursuant to 37 C.F.R. §1.8, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: August 23, 2004

By

Lisa Mansur



IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

Applicant(s): Dane Q. Robinson Docket No.: 26927.00015
Application No.: 10/791,661 Group Art Unit: 3732
Filing Date: March 1, 2004 Examiner: Not Yet Assigned
Title: DEVICE FOR USE IN STIMULATING BONE GROWTH

TRANSMITTAL OF MISSING PARTS OF NONPROVISIONAL APPLICATION

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed on May 21, 2004 in the above-identified application, enclosed herewith are the missing parts needed to complete filing of the subject patent application.

1. Small entity Status

[x] Applicant asserts Small entity status under 37 C.F.R. §§1.9 and 1.27.

2. Fee Calculation

	Claims filed		Basic claims		Present Extra		Fees
Basic filing fee and Surcharge							\$ 900.00
Total Claims	26	minus	20	=	6	x \$ 18.00	= \$108.00
Independent Claims	1	minus	3	=	0	x \$ 86.00	\$0.00
						Subtotal	= \$1,008.00

08/27/2004 FFANAIA2 00000053 10791661

Page 1 of 3

04 FC:2251

55.00 0P

Docket No. 26927.00015

<input checked="" type="checkbox"/> Missing parts filed within first month after due date - add	+	110.00	
<input type="checkbox"/> Missing parts filed within second month after due date - add	+	420.00	
<input type="checkbox"/> Missing parts filed within third month after due date - add	+	950.00	
<input type="checkbox"/> Missing parts filed within fourth month after due date - add	+	1480.00	
<input type="checkbox"/> Missing parts filed within fifth month after due date - add	+	2010.00	
	Subtotal:		\$1,118.00
If "small entity" status box above is checked, enter half (1/2) of Subtotal and subtract		-	\$559.00
	TOTAL FILING FEE	=	\$559.00
If "assignment" box is checked, add recording fee:	+	\$ 40.00	\$0.00
	TOTAL FEE ENCLOSED	=	\$559.00

3. Enclosures (check as applicable)

- ☒ Notice of Missing Parts (copy)
- ☒ Executed Declaration and Oath
- ☐ Statement(s) of Small Entity Status under 37 C.F.R. §§1.9(c), 1.9(d), and 1.27
- ☒ Check for fees
- ☐ Assignment and Recordation Form Cover Sheet
- ☐ Information Disclosure Statement pursuant to 37 C.F.R. §§1.97-1.99 (with PTO Form 1449 and copies of cited documents)
- ☒ Other: Transmittal of Formal Drawings with attached Replacement Drawings in compliance with 37 C.F.R. 1.84 and 37 C.F.R. 1.121.

Extra copies of this letter:

- ☐ for charge to deposit account
- ☐ for Assignment

4. Manner of Payment

☐ Please charge Deposit Account No. 19-3878 in that amount of \$ _____. A duplicate copy of this sheet is attached.

☒ A Squire, Sanders & Dempsey L.L.P. check in the amount of \$ 559.00 is attached.

This statement does NOT authorize charge of the issue fee. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under 37 C.F.R. §§1.16-1.18 (deficiency only) now or hereafter relative to this Application and the resulting Official document under 37 C.F.R. §1.20, or credit any overpayment to Account No. 19-3878 **for which purpose a duplicate copy of this sheet is attached.**

5. Assignment

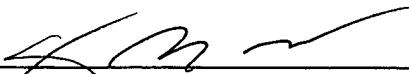
[] An Assignment of this application is enclosed. Please record the Assignment and return the recorded Assignment to the undersigned attorney.

The Patent and Trademark Office is respectfully requested to forward the application for examination.

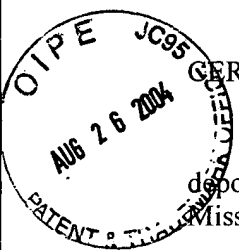
Respectfully submitted,

Date: August 23, 2004

By


Allen J. Moss
Reg. No. 38,567

SQUIRE, SANDERS & DEMPSEY L.L.P.
Two Renaissance Square
40 North Central Avenue, Suite 2700
Phoenix, Arizona 85004-4498
(602) 528-4839
285187



CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I, Lisa Mansur, hereby certify that this correspondence, pursuant to 37 C.F.R. §1.8, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: August 23, 2004

By

Lisa Mansur

**IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE**

Applicant(s):	Dane Q. Robinson	Docket No.:	26927.00015
Application No.:	10/791,661	Group Art Unit:	3732
Filing Date:	March 1, 2004	Examiner:	Not Yet Assigned
Title:	DEVICE FOR USE IN STIMULATING BONE GROWTH		

TRANSMITTAL OF FORMAL DRAWINGS

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Please replace the informal drawings as originally filed with the attached formal drawings consisting of Figures 1-2, 3a-3b, 4a-4f, 5-6, 7a-7d, and 8-10, on thirteen sheets. Minor corrections have been made to drawing 4c to more accurately reflect the invention. No new matter is submitted in the replacement drawings.

The Examiner is invited to contact the undersigned at the telephone number listed below if it would in any way advance prosecution of this case.

Respectfully submitted,

Date: August 23, 2004

By

Allen J. Moss
Reg. No. 38,567

SQUIRE, SANDERS & DEMPSEY L.L.P.
Two Renaissance Square
40 North Central Avenue, Suite 2700
Phoenix, Arizona 85004-4498
(602) 528-4839
294206